AMENDED IN ASSEMBLY MAY 18, 1999

AMENDED IN ASSEMBLY MAY 6, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL   No. 170

Introduced by Assembly Member Firebaugh

January 15, 1999

An act to amend Section 5273 of the Business and Professions Code, relating to outdoor advertising.

LEGISLATIVE COUNSEL'S DIGEST

AB 170, as amended, Firebaugh. Outdoor advertising: redevelopment districts.

The Outdoor Advertising Act regulates the placement of advertising displays along highways. The act exempts from its provisions certain advertising displays that advertise the business conducted or services rendered or goods produced or sold on the property upon which the display is placed, as specified, except provisions governing licenses and imposing regulations. The act provides an exemption from specified display restrictions for advertising displays that advertise businesses and activities developed within the boundary limits of, or as part of, an individual redevelopment agency project by authorizing those displays to be considered, with the consent of the redevelopment agency governing the project, as being on premises anywhere within the limits of the project, as specified. The exemption is conditioned on, among other things, all of the land in the project being

contiguous or separated only by a public highway or public facilities developed or relocated for inclusion within the project as a part of the original redevelopment plan.

This bill would extend the exemption for redevelopment agency projects to include more than one of the agency's project area or areas.

The bill would exempt the display as being on premises if it is anywhere within the legal boundaries of the redevelopment agency's project area or areas, instead of within the limits of the project.

The bill would delete the condition that all of the land in the project be contiguous or separated only by a public highway or public facilities, as specified.

The bill would ~~specify that the exempt display is subject to a specified provision relating to placement of advertising displays~~ *require the governing body of a redevelopment agency, upon approving the purchase, lease, or other authorization for the erection of an advertising display, to prepare, adopt, and submit to the department an application for the issuance of a permit that, at a minimum, includes a finding that the advertising display would not result in a concentration of displays that will have a negative impact on the safety or aesthetic quality of the community. The bill also would authorize the department to deny the application only if the proposed structure would violate specified provisions of law, or if the display would cause a reduction in federal-aid highway funds.*

The bill would make a technical, nonsubstantive change in existing law.

The bill would express legislative findings and declarations.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1   SECTION 1. The Legislature finds and declares all of
2   the following:
3   (a) The Outdoor Advertising Act (Chapter 2
4   (commencing with Section 5200) of Division 3 of the
5   Business and Professions Code) regulates the placement

1 of advertising displays along highways and provides
2 limited exemptions from its provisions.
3   (b) Section 5273 of the Business and Professions Code
4 provides a limited exemption from the act by authorizing
5 a city to advertise a redevelopment project with a sign
6 located adjacent to a highway, but only if the sign is
7 located within the boundary limits of the redevelopment
8 project and advertises a single redevelopment project
9 that is located in one contiguous area.
10   (c) The practical effect of Section 5273 of the Business
11 and Professions Code is that its exemption is limited to
12 cities that have a project that is located adjacent to a
13 highway.
14   (d) Most cities have from two to five different
15 redevelopment projects that usually are not located in
16 one contiguous area, and many cities have
17 redevelopment projects that are not located adjacent to
18 a highway.
19   (e) Accordingly, Section 5273 of the Business and
20 Professions Code should be amended to authorize a city
21 to use the same sign to advertise all redevelopment
22 projects that are within that city, regardless of whether
23 the projects are contiguous to each other or are located
24 adjacent to a highway.
25   SEC. 2. Section 5273 of the Business and Professions
26 Code is amended to read:
27   5273. (a) For the purpose of this chapter, advertising
28 displays advertising those businesses and activities
29 developed within the boundary limits of, and as a part of,
30 any redevelopment agency project area or areas may,
31 with the consent of the redevelopment agency governing
32 the project area, be considered to be on the premises
33 anywhere within the legal boundaries of the
34 redevelopment agency's project area or areas for a period
35 not to exceed 10 years or the completion of the project,
36 whichever occurs first, after which Sections 5272 and 5405
37 apply, unless an arrangement has been made for
38 extension of the period between the redevelopment
39 agency and the department for good cause.

1 (b) Projects subject to this section shall comply with
2 subdivision (d) of Section 5408.
3 *(b) The governing body of a redevelopment agency,*
4 *upon approving the purchase, lease, or other*
5 *authorization for the erection of an advertising display*
6 *pursuant to this section, shall prepare, adopt, and submit*
7 *to the department an application for the issuance of a*
8 *permit that, at a minimum, includes a finding that the*
9 *advertising display would not result in a concentration of*
10 *displays that will have a negative impact on the safety or*
11 *aesthetic quality of the community. The department shall*
12 *only deny the application if the proposed structure*
13 *violates Sections 5400 to 5405, inclusive, or subdivision (d)*
14 *of Section 5408, or if the display would cause a reduction*
15 *in federal-aid highway funds as provided in Section 131 of*
16 *Title 23 of the United States Code.*

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